

Statute - CO

Col. Rev. Stat. § 24-110-201. Cooperative purchasing authorized.

(1) In accordance with the provisions of this article 110 and rules promulgated by the executive director, any public procurement unit may either participate in, sponsor, conduct, or administer a cooperative purchasing agreement for the procurement of any supplies, services, or construction with one or more public procurement units, external procurement units, or procurement consortiums that include as members tax-exempt organizations as defined by section 501(c)(3) of the federal "Internal Revenue Code of 1986", as amended,¹ in accordance with an agreement entered into between the participants. Such cooperative purchasing may include, but is not limited to, joint or multiparty contracts between public procurement units and open-ended state public procurement unit contracts that are made available to local public procurement units.

(1.5) With prior written approval of the chief procurement officer and under procedures established by rule, a state public procurement unit may sponsor, conduct, or administer a cooperative purchasing agreement with one or more public procurement units, external procurement units, or procurement consortiums.

(2) With prior written approval of the chief procurement officer and under procedures established by rule, a state public procurement unit may purchase goods or services under the terms of a contract between a vendor and an external procurement unit or a local public procurement unit without complying with the requirements of section 24-102-202.5 and article 103 of this title 24.

(3) With written approval from the procurement official and under procedures established by rule, a state public procurement unit may purchase goods or services under the terms of another state public procurement unit without complying with the requirements specified in section 24-102-202.5 and article 103 of this title 24.

(4) Unless otherwise approved by the chief procurement officer, the procurement official shall comply with the following order of priority for the use of cooperative purchasing agreements:

(a) First, state-issued cooperative purchasing agreements;

(b) Second, state public procurement unit cooperative purchasing agreements; and

(c) Third, public procurement unit or external public procurement unit cooperative purchasing agreements.

(5) A local public procurement unit may participate in, sponsor, conduct, or administer a cooperative purchasing agreement for the procurement of any supplies or services as permitted by the procurement code, ordinances, and rules of such local public procurement unit.

About Sourcewell:

Sourcewell is a service cooperative created by the Minnesota legislature as a local unit of government. Minn. Const. art. XII, sec. 3. As a public corporation and agency, Sourcewell is governed by local elected municipal officials and school board members. Minn. Stat. § 123A.21 Subd. 4 (2017). Under its enabling statute, Sourcewell is explicitly authorized to provide cooperative purchasing services to eligible members. *Id.* at Subd. 7(23).

Sourcewell follows the competitive contracting law process to solicit, evaluate and award cooperative purchasing contracts for goods and services. Sourcewell cooperative purchasing contracts are made available through the joint exercise of powers law to member agencies. Minn. Stat. § 471.59 (2017). Membership in Sourcewell is available for all eligible state and local governments, education, higher education and nonprofit entities across North America. § 123A.21 at Subd. 3.

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